

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GREAT AMERICAN INSURANCE)
COMPANY OF NEW YORK,)
Plaintiff,)
v.) Civil Action No.: 04-11968-MEL
KELLAWAY WAREHOUSE SERVICES,)
MANCHESTER MOTOR FREIGHT,)
CONSOLIDATED RAIL CORP., and)
ROUND THE WORLD LOGISTICS,)
Defendants.)

**AFFIDAVIT OF SETH S. HOLBROOK IN SUPPORT OF PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT AS TO DEFENDANT, KELLAWAY WAREHOUSE SERVICES**

NOW COMES Seth S. Holbrook who deposes and sayeth the following:

1. My name is Seth S. Holbrook.
2. I am counsel for the plaintiff in this action. I have personal knowledge of the matters herein, except as otherwise stated.
3. There has been no answer or responsive pleading filed by the defendant, Kellaway Warehouse Services.
4. A notice of default was issued by this Court on or about May 2, 2005. Upon information and belief, a copy of the notice was mailed to the defendant, Kellaway.
5. The principal amount of the judgment, \$8,394.92, is the amount paid by the plaintiff to its insured, Total Logistic Resources, pursuant to the policy issued by the plaintiff to Total Logistic Resources.
6. No action was taken by the plaintiff within thirty (30) days of the notice of default as the plaintiff was attempting to reach a settlement with the remaining defendants

in this case. As the settlement efforts have not been fruitful, the plaintiff is proceeding with the default judgment against Kellaway at this time.

7. Costs are in the amount of \$200.
8. The defendant is not an infant or incompetent person or in the military services of the United States of America.

Signed under the pains and penalties of perjury, this 27th day of February, 2006.

/s/ Seth S. Holbrook
Seth S. Holbrook
HOLBROOK & MURPHY
15 Broad Street, Suite 900
Boston, MA 02109
(617) 428-1151
holbrook_murphy@msn.com

Certificate of Service

I hereby certify that on February 27, 2006, I electronically Affidavit of Seth S. Holbrook in Support of Plaintiff's Motion for Default Judgment as to Defendant Kellaway Warehouse Services with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel electronically and a copy sent by first class mail, postage prepaid to Kellaway Warehouse Services.

/s/ Seth S. Holbrook
Seth S. Holbrook, BBO# 237850
HOLBROOK & MURPHY
15 Broad Street, Suite 900
Boston, MA 02109
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holbrook_murphy@msn.com